In re:

JOAQUIN CANCEL MONTALVO

DIVINA LLANERA ROMAN   Chapter 13

Case No. 10-09215-ESL

Attorney Name: JOSE PRIETO CARBALLO ESQ*

I. Appearances

Debtor	[✓] Present [ ] Absent
Joint Debtor	[✓] Present [ ] Absent
Attorney for Debtor	[✓] Present [ ] Absent
[ ] Pro-se	
[ ] Substitute _____	

Date: December 02, 2010

Time: 8:14 Am   Track: _____

[ ] This is debtor(s) 1st Bankruptcy filing.

Liquidation Value: $11,000.—

Creditors

_____

II. Oath Administered

[✓] Yes   [ ] No

_____

III. Documents Filed/Provided

[✓] Schedules

[✓] Statement of Financial Affairs (SOFA)

[✓] Statement of Current Monthly Income (SCMI)

[✓] Credit counseling briefing certificate (CCC)

  [ ] Waiver requested by debtor(s)

[ ] DSO Certificate

[ ] DSO Recipient's information

[ ] State Tax Returns n/a   [ ] Returned *

[ ] Federal Tax Returns_____ [ ] Returned

[ ] Evidence of income (60 days prior to petition)

* doc dec registrado since 1992

IV. Status of Meeting   [✓] Closed   [ ] Not Held   [ ] Continued _____ at _____

V. Trustee's Report on Confirmation

[ ] FAVORABLE

[✓] UNFAVORABLE

[ ] Feasibility

[✓] Insufficiently funded

[ ] Unfair discrimination

[ ] Fails liquidation value test

[ ] Fails disposable income test (I & J)

[ ] No provision for secured creditor(s)

_____

_____

[ ] Treat value of collateral separately

[ ] No provision for insurance

[ ] Tax returns missing

  [ ] State - years _____

  [ ] Federal - years _____

[ ] No DSO certificate (Post-petition)

[ ] Evidence of income

  [ ] Missing   [ ] Incomplete

[ ] Stmt. of Current Monthly Income

  [ ] Incomplete [ ] Missing

  [ ] Fails commitment period [ ] Fails Disp. Income

[ ] Certificate of Credit briefing

  [ ] Missing [ ] More than 180 days

  [ ] Issuer not certified by U.S.T.

[ ] Incomplete schedules

[ ] Incomplete S.O.F.A.

[ ] Other:

_____

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VI. Plan (Cont.)

Date: <u>September, 30, 2010</u> Base $ <u>11,100.00</u> [X] Filed   Evidence of Pmt shown: _____

Payments <u>1</u> made out of <u>2</u> due. [ ] Not Filed

VII. Confirmation Hearing Date: December, 1, 2010

VIII. Attorney's fees as per R. 2016(b)

$3,000.00 - $ 326.00   = $ 2,674.00

IX. Documents to be provided w/in _____ days

[✓] Amended schedules I _____

[ ] Insurance estimate

_____

[ ] Assumption/Rejection executory contract

_____

[ ] Appraisal _____

_____

[ ] State tax returns years _____

[ ] Federal tax returns years _____

[ ] Correct SS # (Form B21)

  [ ] Debtor [ ] Joint debtor

[ ] Other: _____

_____

_____

[ ] Amended S.O.F.A. _____

[ ] Amended plan

[ ] Business Documents

  [ ] Monthly reports for the months

_____

_____

_____

[ ] Public Liability Insurance

  [ ] Premises_____

  [ ] Vehicle(s)_____

[✓] Licenses issued by:

  Treasury - IVU. _____

_____

[ ] M.T.D. to be filed by Trustee: Debtor(s): [ ] failed to appear; [ ] failed to commence payments;

[ ] failed to keep payments current; [ ] does (do) not qualify as a debtor (§109); _____

[ ] Other:_____

COMMENTS

① Amend Sched I to add $350.00 as rental income. Debtor testifies his daughter does not provide them with $800 a most, but with $400. Consequently this poses a feasibility issue since it is $50.00 less income and the payment is $185.00 ② Provide description for both properties listed in schedule A. ③ Debtors will delete tax refund provision from plan. Debtors do not have unsecured debts.

_____
Trustee/Presiding Officer

Date: December 02, 2010

(Rev.